

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gloria C. Li, et al.
U.S. Serial No. : Not Yet Known (Continuation Application
of PCT/US99/14702, filed 30 June 1999)
Filed : Herewith
For : USES OF DNA-PK

1185 Avenue Of The Americas
New York, New York 10036
December 28, 2000

Applicant :

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Patent Application

Sir:

PRELIMINARY AMENDMENT TO THE ACCOMPANYING CONTINUATION
APPLICATION FILED UNDER 37 C.F.R. §1.53

Applicants request that the following amendment be made in the
above-identified application:

In the Specification:

On page 1, after the title and before line 5, please delete the
paragraph and insert the following new sentence:

--This application is a continuation of PCT International
Application No. PCT/US99/14702, filed 30 June 1999,
designating the United States of America, which is a
continuation-in-part and claims priority of U.S.
Provisional Application No. 60/091,181, filed June 30,
1998, the contents of which are hereby incorporated by
reference into the present application.--

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In the Claims:

Please amend claims 22 and 24 pursuant to the provisions of 37 C.F.R. 1.121(b) by deleting the bracketed material and inserting the underlined material as follows:

- 22. (Amended) An expression vector adapted for the expression of the antisense oligonucleotide of claim 16[, 17, 18, 19, or 20].--
- 24. (Amended) A pharmaceutical composition comprising the antisense oligonucleotide of claim 16[, 17, 18, 19, or 20].--

REMARKS

This application is a continuation of PCT International Application No. PCT/US99/14702, filed 30 June 1999, designating the United States of America, which is a continuation-in-part and claims priority of U.S. Provisional Application No. 60/091,181, filed June 30, 1998. Accordingly, the parent application, PCT International Application No. PCT/US99/14702, is pending today in the United States of America pursuant to 35 U.S.C. §363, and the subject continuation application is co-pending therewith in fulfillment of the provisions of 35 U.S.C. §120.

By this Preliminary Amendment, applicants have hereinabove amended the specification on page 1 to insert the continuation data. Applicants maintain that the amendments to the specification present no issue of new matter and are fully supported by the specification. Applicants have amended the specification to recite the continuing data for the above-

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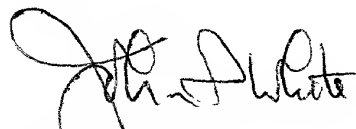
identified application.

Claims 1-26 were pending in the subject application. By this Amendment applicants have amended claims 22 and 24. Support for these amendments may be found inter alia on page 4 , lines 26-31, and page 5, lines 11-13. Accordingly, upon entry of this Amendment, claims 1-26 will be pending and under examination.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone at the number provided below.

No fee other than the filing fee of \$449.00 is deemed necessary in connection with this Preliminary Amendment. However, if any other fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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